

LAW OFFICE OF PATRICK CALHOUN  
PATRICK CALHOUN, ESQ. (BAR #56671)  
10797 Ridgeview Way  
San Jose, CA 95127  
Telephone: (408) 722-8099  
E-mail: [calhounonekgatty@aol.com](mailto:calhounonekgatty@aol.com)

Attorneys for Debtor

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA**

In re:	)	Case No.: 12-56050 SLJ
	)	
Auto Care Mall of Fremont, Inc.,	)	Chapter 11
	)	
Debtor.	)	Date: April 4, 2013
	)	Time: 10:00 a.m.
	)	Place: 280 South First Street, Courtroom 3099
	)	San Jose, CA
	)	Judge: Hon. Stephen L. Johnson

**DECLARATION OF DANIEL DUC IN SUPPORT OF  
MOTION TO DISMISS BANKRUPTCY CASE AND  
FOR MISCELLANEOUS RELIEF**

I, Daniel Duc, hereby declare as follows:

1. I incorporated and am one of the principal shareholders of Auto Care Mall of Fremont, Inc. ("Debtor") and in that capacity I have personal knowledge of the facts set forth in this Declaration and if called upon to testify, I would and could competently testify to the following:

2. This Declaration is filed in support of the Motion to Dismiss Bankruptcy Case and for Miscellaneous Relief (the "Dismissal Motion").

3. In January 2013, the Debtor undertook measures to resolve the financial problems precipitating the Debtor's Chapter 11 case, including the following:

- Pursuant to a Court approved settlement, the Debtor secured the release of the liens against the Debtor's real property in favor BofA secured indebtedness in excess of \$3.5 million. I funded this settlement from non-estate assets.
- On January 24, 2013, I made a further substantial cash advance from non-estate

assets to enable the Debtor to pay approximately \$795,940.25 to BofM and the Alameda County Tax Collector to effect a complete reinstatement of the BofM loans.

- On or about January 28, 2013, the Receiver turned over to the Debtor management and possession of the Debtor's real property. Following turnover of the real property, the Receiver has retained possession and control over approximately \$82,000 in rent and CAM receipts received during the receivership. I am informed and believe that the Receiver is submitting a final accounting and report to the Alameda County Superior Court, and I anticipate that the Receiver will turn over to the Debtor in excess of \$50,000 in rent receipts upon approval of the final accounting and report.

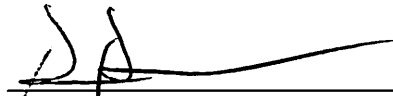
4. As a result of my additional advances, the Debtor has at this juncture successfully resolved its financial difficulties and is in a position to proceed to dismiss its Chapter 11 case conditioned upon payment of its minimal administrative and unsecured liabilities.

5. I am informed and believe that the allowable prepetition claims against the Debtor are unsecured and are set forth below:

Creditor	Claim Amount
A-Best Tree Service	\$1,150.00
Alameda County Water District	\$420.00
Allied Waste	\$2,450.00
AT&T	\$70.00
Have Dump Will Travel	\$220.00
Pacific Bell	\$1,900.00
PG&E	\$170.00
Protection One	\$270.00
Travelers Ins	\$830.00
<b>TOTAL:</b>	<b>\$7,480.00</b>

6. I believe that the funds which the Debtor will receive back from the Receiver will be more than adequate to effect a full repayment of all of these amounts.

1 I declare that the foregoing is true and correct under penalty of perjury under the laws of the  
2 United States. Executed this 14th day of March, 2013 at San Jose, California.

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5 /Daniel Duc